

SunVest Solar Comments to the Illinois Power Agency's Draft 2026-27 Guidebook for the Illinois Shines Program

March 20, 2026

SunVest Solar respectfully submits these comments to address the Illinois Power Agency's draft Adjustable Block Plan guidebook, released for comment on March 9, 2026. SunVest thanks the Agency its leadership and for the opportunity to provide input.

SunVest is a Chicago-based, national developer of solar and energy storage systems. The company is one of the largest owner/operators of Community Solar projects in the state. We are also a member of the Joint Solar Parties (JSP) and support the group's input to the Guidebook. These comments seek to underscore the importance of certain aspects of the JSP comments and the importance of making changes in the immediate term.

Project Labor Agreements (PLAs)

Under PA 104-0458 (or "CRGA"), all Community Solar projects greater than 3MWac that receive REC contracts approved by the Commission after June 1, 2026 are required to enter into a Project Labor Agreement (PLA). SunVest is already working to comply with this requirement, and we expect to achieve CRGA's goals going forward. However, it is imperative that the IPA Guidebook does not incidentally create challenges for meeting federal 48E investment tax credit (ITC) requirements.

For background, solar projects seeking to qualify for the ITC must begin construction by July 4, 2026. Beginning construction can be demonstrated in two ways:

1. Commence physical construction, or;
2. Incur at least 5% of the total cost of the project

Commencing physical construction means taking certain steps involving onsite construction, while the 5% test can be met by procuring certain materials. Both are considered "commencement of construction" for federal tax purposes.

The Draft Guidebook states that "Approved Vendors must submit the application's project labor agreement to the Program Administrator via email for evaluation at least 60 days prior to the start of construction."

Taken together, the two requirements could be problematic because some projects in the Traditional Community Solar block are planning to commence physical construction (using a labor force working under PLA) before this Guidebook goes into effect on June 1st. If the projects cannot even submit the PLA until June 1 (and need to wait for approval from the

Agency) there is a considerable risk that the project would not commence physical construction before July 4th.

Such a situation benefits no one. If the project loses the federal tax incentive and doesn't move forward, the workers do not work and the Agency loses a viable project.

To alleviate this urgent concern, SunVest agrees with the JSP recommendation that the IPA should allow a project to enter into and submit the PLA to the Agency at any time (even before June 1) and receive approval after the fact.

Additionally, in order to avoid confusion between state and federal requirements, SunVest urges the Agency to use the term "physical construction" in any PLA-approval requirements in this Guidebook and subsequent REC Contract. This ensures that developers can meet the federal ITC "commence construction" standard using the 5% test while also meeting Illinois' requirements to enter into a PLA before beginning physical construction.

Finally, the Agency must recognize that certain projects that will be subject to the PLA under PA 104-0458 (or "CRGA) have already submitted Part I application and are currently on waitlists. While those projects will certainly be required to enter into PLAs, it is impossible for those projects to meet the Draft Guidebook's attestation requirement at Part I, as those applications occurred in the past.

Opt-in Batching for Community Solar Projects

SunVest appreciates the Agency's efforts to improve the re-batching process for Community Solar Projects, but the process outlined in the Draft Guidebook is unclear and should be changed to prevent unintended consequences. As written, the process could result in projects accidentally getting dropped from the program simply because the Vendor does not proactively click a box in the portal on schedule.

If the Agency is going to require projects to opt-in after Part I, a more streamlined process would be to simply hold the project from being sent to the ICC for four re-batching periods (without any action from the Administrator or Vendor). A vendor could opt-in at any time thereafter. But after four re-batching periods, if the Vendor has not proactively opted in or withdrawn, the project would automatically be sent to ICC for approval. This reduces effort by the Administrator and ensures the Vendor does not lose a project just because it misses a deadline.

A redline of the draft language is below:

Beginning on June 1, 2026, the Agency will no longer automatically batch community solar projects after Part I verification. Community solar projects will only be submitted for batching during the re-batching window if the Approved Vendor “opts in.” Following the Part I verification of a community solar project, an Approved Vendor is allowed to hold a community solar project for four re-batching periods (corresponding to four regular ICC meetings for which the Agency is submitting projects for approval) before the ~~Approved Vendor must~~ Program Administrator will then automatically move that community solar project forward with ICC submission ~~or unless the Approved Vendor withdraws~~ it from the Program.

~~If, after the fourth re-batching period after the CS application is Part I verified, the Approved Vendor has been unresponsive to the Program Administrator’s requests to batch, the community solar application will be withdrawn from the Program and will be subject to a new application fee if resubmitted to the Program. Late batching submissions after the Election Deadline are not allowed.~~